

**Notice of Allowability**

Application No.

10/024,042

Applicant(s)

IYER ET AL.

Examiner

Art Unit

John Pezzlo

2662

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to application filed 12/21/2001.
2. ☒ The allowed claim(s) is/are 1-23.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☒ Other DRAWINGS FILED 6/13/2002 ARE ACCEPTED BY EXAMINER.

  
JOHN PEZZLO  
PRIMARY EXAMINER

## **DETAILED ACTION**

### ***EXAMINER'S AMENDMENT***

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with William E. Curry on 25 October 2005.

The claims have been amended as follows:

1. Claim 1, line 2, changed "an I/O port connectable to a network" to -- a network I/O port connectable to a network --.
2. Claim 1, line 3, changed "an I/O port connectable to a receive/display" to -- a receive/display I/O port connectable to a receive/display --.

### ***Allowable Subject Matter***

Claims 1-23 are allowable over the prior art of record.

### ***Reasons for Allowance***

The following is an examiner's statement of reasons for allowance: Applicants have claimed the following uniquely distinct features in the instant invention, which are not found in the prior art, either singularly or in combination.

1. Regarding claim 1 - A peer-to-peer communication device, comprising: a network I/O port connectable to a network, a receive/display I/O port connectable to a receive/display device, and a component configurable to locally record at least a portion of a media broadcast in accordance with a request, and to transmit said locally recorded portion to another peer-to-peer communication device of said network upon request.
2. Regarding claim 8- A controller comprising: an I/O port connectable to a network that includes a plurality of peer-to-peer communication devices, and a storage device and a processing unit coupled to said storage device, wherein said storage device and processing unit are configurable to: receive user input on said I/O port entered on a first peer-to-peer communication device of said network, said user input specifying at least a portion of a media broadcast to be viewed on a receive/display device coupled to said peer-to-peer communication device, and issue a request to a second peer-to-peer communication device to locally record said portion of a media broadcast.
3. Regarding claim 10 - A controller, comprising: an I/O port connectable to a network that includes a plurality of peer-to-peer communication devices, a storage device and a processing unit coupled to said storage device, wherein said storage device and processing unit are configurable to implement a plurality of user-input program schedules received from a plurality of said peer-to-peer communication devices, each of said program schedules specifying at least a

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portion of a media broadcast to be viewed on respective receive/display devices coupled to respective peer-to-peer communication devices.

4. Regarding claim 13 - A computer-usable medium tangibly embodying computer-executable instructions, said instructions when executed implementing a process comprising: causing a first peer-to-peer communication device to locally record at least a portion of a media broadcast in accordance with user input, and to transmit said locally recorded portion to a second peer-to-peer communication device of said network upon request.

5. Regarding claim 17 - A computer-usable medium tangibly embodying computer-executable instructions, said instructions when executed causing a controller of a network that includes a plurality of peer-to-peer communication devices to implement a plurality of user-input program schedules received from a plurality of said peer-to-peer communication devices, each of said program schedules specifying at least a portion of a media broadcast to be viewed on respective receive/display devices coupled to respective peer-to-peer communication devices.

6. Regarding claim 20 - A system comprising: a plurality of peer-to-peer communication devices interconnected via a network, and each peer-to-peer communication device further connected to a receive/display device, a controller connected to said network, to control said plurality of peer-to-peer communication devices in accordance with user-input program schedules, said program schedules respectively specifying at least a portion of a media broadcast to be viewed on respective receive/display devices coupled to respective peer-to-peer communication devices, wherein said controller is configurable to cause a first peer-to-peer communication device to record at least a portion of a media broadcast specified in a program

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schedule entered by a user of a second peer-to-peer communication device different from said first peer-to-peer communication device.

7. Regarding claim 22 - In a network including interconnected peer-to-peer communication devices and a controller of said peer-to-peer communication devices, a method comprising: receiving, at said controller, user input entered on a first peer-to-peer communication device specifying at least a portion of a media broadcast to be viewed on a receive/display device coupled to said first peer-to-peer communication device, causing a second peer-to-peer communication device different from said first peer-to-peer communication device to locally record said portion of a media broadcast', and causing said second peer-to-peer communication device to transmit said locally recorded portion of a media broadcast to said first peer-to-peer communication device upon request.

The closest prior art, either singularly or in combination, fail to anticipate or render the above limitations obvious.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Claims 1-23 being allowable, **Prosecution On The Merits Is Closed** in this application.

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The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

1. Stern (US 2003/0182266 A1) discloses a method and apparatus for gathering statistical information about in-store content distribution.
2. Rowe et al. (US 6,792,615 B1) discloses encapsulated, streaming media automation, and distribution system.
3. Ozzie et al. (US 6,640,241 B1) discloses a method and apparatus for activity-based collaboration by a computer system equipped with a communications manager.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Pezzlo whose telephone number is (571) 272-3090. The examiner can normally be reached on Monday to Friday from 8:30 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou, can be reached on (571) 272-3088. The fax phone number for the organization where this application or proceeding is assigned is (272) 571-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2600.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C.

or faxed to:

(571) 272-8300

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For informal or draft communications, please label "PROPOSED" or "DRAFT"

Hand delivered responses should be brought to:

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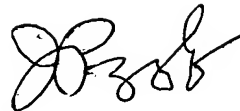
2A15

500 Dulany Street

Alexandria, VA, 22313.

John Pezzlo

25 October 2005

A handwritten signature in black ink, appearing to read 'J. Pezzlo', with a stylized, cursive script.

**JOHN PEZZLO  
PRIMARY EXAMINER**